

SENATE AGRICULTURE

EXHIBIT NO. 21

DATE 3-12-07

To anyone that thinks their saving horses by keeping slaughter plants closed, I ~~will~~ ^{will} ~~be~~ ^{be} ~~down~~ ^{down} ~~up~~ ^{up} caring for horses and cattle and I take that responsibility very seriously. I love my animals and it breaks my heart to have one put down or take them to slaughter.

I've been training and breeding horses for my whole life and training horses for the public for the last ten to fifteen years. I have had many clients that have sold a horse that was old or they couldn't handle. They have always wanted to replace them. I, on a small scale, have bought many horses out of the "loose pen" and have made good horses for myself and clients. The traders do this on a huge scale.

But with nowhere to go with the ones that don't work out I've quit buying any of these horses and my clients aren't making enough off their loose horses to buy one or "save" one from the "loose pen". There is a lot more effort put into buying and training a prospect than a killer, but by shutting down our place to go with the ones that don't work we're not able to buy the ones that would. So now the horse that could probably make a good horse will sit in a pen and need care, which costs money. And when times get tough and people can't find hay the horse will get the poor end of the deal.

note
HWD

3.12.2009
Senate Agriculture Committee
Bill HB 418
Mike Luedtke

SENATE AGRICULTURE
EXHIBIT NO. 21
DATE 3-12-09
BILL NO. HB 418

Fiscal Responsibility

Greetings to all!

I'm here today to offer my opinion on a very misguided bill that seems to have all of the truths hidden by rumor and false rhetoric. I ask that you all read and actually look at the wording of HB 418, and try to find where any of this actually benefits the good people or *Horses* of Montana. It's written strictly in the interests of the private investors who I'm sure are not Montana residents. When I first heard of this bill I would have argued in support of it based on what I was hearing.

But this is today! And here I am standing in front of you all armed with the truth and very disappointed that this HB 418 has made it as far as it has. There are so many points that need to be addressed and so little time. I'll get to one that affects us all – money, which is basically what this bill is about. It has nothing to do with providing humane treatment for the poor starving horses left to fend for themselves in the wild. I'm talking about OUR tax money being used to support a private investor's industry.

One of our senators has been quoted as saying that there would be no fiscal impact to the state. It's stated in the Fiscal Note 2011 Biennium.

I'd like to refute that. We quite possibly will need a full time brand inspector on-site. This could possibly be a 24 hour operation being the only equine slaughter plant in the country. Pages 9-12 of the bill lay out the requirements of inspection which include brands, hides, dressed out carcass, and post mortem inspection.

Are we assuming that our Federal Tax Money will shoulder the burden of inspections? The way our law stands, this would be illegal.

- The only fiscal impact to the "**Private Investor owned plant**" is in the event of overtime with inspectors wages. (pg. 12, line 1,2)
- Who will provide the USDA inspections? Our Federal USDA inspectors are presently forbidden to inspect horse meat for human consumption "any where" in the United States? Without this USDA inspection, it is illegal for the meat to cross any borders.
- Who will enforce the borders to make sure that no laws are being broken with the expected transport of the horse meat? Would it impact our state DOT?
- How is it that we expect to pass legislation that right out of the chute creates legal conflicts between state and federal agencies? The only agency referenced is the state brand inspector. Wouldn't every horse entering the facility need to be inspected by brand?

A badly written bill does not make good legislation! Putting aside the emotional aspects attached to this bill...we need to "Read the Bill" and come to terms as to it's constitutionality, as it is before today.

With much respect,

Mike Luedtke

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GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2011 Biennium

Bill # HB0418

Title: Authorize investor owned livestock slaughter and processing plants

Primary Sponsor: Butcher, Edward B

Status: As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Needs to be included in HB 2 | <input checked="" type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: This bill has no fiscal impact to the state.

FISCAL ANALYSIS

Assumptions:

1. There are no horse slaughter facilities in Montana and very little market for horse meat products. If such a facility was built, the market for horse meat products would be foreign exports subject to USDA inspection. The Montana Department of Livestock would not be impacted fiscally.

Technical Notes:

1. Sections 5 and 6 are unnecessary and create ambiguity. The purpose of the bill is to prohibit injunctions in challenges to equine slaughter facility permits. Sections 5 and 6 are existing statutes that authorize the Department of Environmental Quality (DEQ) to seek injunctions to prevent violation of the water quality act and permits. They do not apply to permit challenges or appeals. Therefore, it is unnecessary to amend sections 5 and 6 to provide that injunctions may be sought "except as provided in section 1". Inclusion of this language in sections 5 and 6 could be interpreted as preventing the DEQ from seeking an injunction to prohibit an equine slaughter facility from violating its permit.

Sponsor's Initials

Date

Budget Director's Initials

Date